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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
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12 MADHVAMUNI K DAS, et al.,  
13 Plaintiffs,  
14 v.  
15 WMC MORTGAGE CORP., et al.,  
16 Defendants.  
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Case No.: C 10-0650 PVT

**ORDER SETTING DEADLINE FOR PARTIES  
TO FILE EITHER A “CONSENT TO PROCEED  
BEFORE A UNITED STATES MAGISTRATE  
JUDGE,” OR ELSE A “DECLINATION TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE AND REQUEST FOR  
REASSIGNMENT”; AND CONTINUING  
HEARING**

18 On March 12, 2010, Defendant WMC Mortgage Corp. filed a motion to dismiss.<sup>1</sup>  
19 Pursuant to Civil Local Rule 73-1(a)(2),<sup>2</sup> no later than five court days after that motion was filed  
20 each party was required to file either a written consent to the jurisdiction of the Magistrate Judge, or  
21 request reassignment to a District Judge.<sup>3</sup> Only one party has done so. Therefore, based on the file  
22 herein,

23 IT IS HEREBY ORDERED that the deadline for the parties to file either a “Consent to  
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25 <sup>1</sup> The holding of this court is limited to the facts and the particular circumstances  
underlying the present motion.

26 <sup>2</sup> A copy of the court’s Civil Local Rules are available from the clerk of the court, or from  
27 the “Rules” section of the court’s website ([www.cand.uscourts.gov](http://www.cand.uscourts.gov)).

28 <sup>3</sup> Magistrate Judges have authority to hear dispositive motions, such as the motion to  
dismiss, only in cases where all parties have consented to Magistrate Judge jurisdiction. *See* 28 U.S.C.  
§ 636(c)(1).

1 Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United  
2 States Magistrate Judge and Request for Reassignment,” is extended to April 27, 2010. Both forms  
3 are available from the clerk of the court, or from the “Forms” section of the court’s website  
4 ([www.cand.uscourts.gov](http://www.cand.uscourts.gov)).

5 IT IS FURTHER ORDERED that Defendant First American Title Insurance Company’s  
6 motion to dismiss is CONTINUED to 10:00 a.m. on May 4, 2010, to be heard along with the other  
7 Defendants’ motions.

8 Dated: 4/20/10

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10 PATRICIA V. TRUMBULL  
11 United States Magistrate Judge  
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